

**IN THE DISTRICT COURT OF GUAM  
TERRITORY OF GUAM  
CRIMINAL MINUTES  
TRIAL**

CASE NO.: CR-08-00004

DATE: June 17, 2008

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HON. FRANCES M. TYDINGCO-GATEWOOD, Chief Judge, Presiding

Law Clerk: None Present

Court Reporter: Wanda Miles

Courtroom Deputy: Carmen B. Santos

Electronically Recorded: 9:06:12 - 10:26:40  
10:40:55 - 11:57:15  
1:33:15 - 2:42:00  
2:58:07 - 4:10:32

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**APPEARANCES:**

Defendant: Eun Young Lee  
Marcelino Laserna  
John Duenas  
Mary Garcia  
Joseph Pangelinan  
Francisco Kawamoto  
Margaret Untalan

Attorney: Richard Arens  
Mark Smith  
Cynthia Ecube  
Leilani Lujan  
Louie Yanza  
Stephanie Flores  
Rawlen Mantanona

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☒ Present ☐ Custody ☐ Bond ☐ P.R.

☒ Present ☒ Retained ☒ FPD ☒ CJA

U.S. Attorney: Karon Johnson

U.S. Agent: K. Klocke, FBI

U.S. Probation: None Present

Interpreter:

Language:

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**PROCEEDINGS: Jury Trial - Day 7**

- Parties discuss Government's proposed replacement Exhibit 69, 71 and 14-1. Proposed modification to Exhibits 69, 71 withdrawn by Government. As to 14-1, objections noted, not admitted.
- Court dismissed paragraph 44 of the indictment as to Mr. Pangelinan based on the prosecutor indicating insufficient evidence on that matter.
- Court dismissed Count XI of the indictment as to Mr. Pangelinan based on insufficient evidence.
- Objections as to admittance of Exhibit 62 was discussed. Government moved to amend or strike the first and middle names from paragraph 52 of the Indictment. Court denied motion to amend indictment. Exhibit 62 not admitted. Court dismisses/strikes out paragraph 52 of the indictment as insufficient proof and failure to plead properly the correct licensee name.
- Reference to exhibit 62 will be disallowed in the summaries. Exhibit 41 not admitted. Any reference to Tong Hong Lee will be removed from the summaries.
- Oral request by Mr. Arens for copy of agent Kline's handwritten notes argued. Parties urged to meet and discuss to resolve the matter. If no agreement, parties may brief the

issue and submit briefs by 8:15 a.m., June 18, 2008.

- Witnesses sworn and examined; exhibits marked and admitted - see attached Exhibit and Witness List, AO Form 187 (and 187a, when applicable). \_\_
- Jury Trial (day 8) continued to: June 18, 2008 at 9:00 a.m.

NOTES:

PRESIDING JUDGE  <b>FRANCES M. TYDINGCO-GATEWOOD</b>						PLAINTIFF'S ATTORNEY  <b>KARON JOHNSON</b>	DEFENDANT'S ATTORNEY <b>RICHARD ARENS, MARK SMITH, CYNTHIA ECUBE, LEILANI LUJAN, LOUIE YANZA, STEPHANIE FLORES, RAWLEN MANTANONA</b>
HEARING DATE (S) <b>JUNE 9, 10, 11, 12, 13, 2008 JUNE 16, 17, 2008</b>						COURT REPORTER  <b>WANDA MILES</b>	COURTROOM DEPUTY  <b>CARMEN B. SANTOS</b>
JOINT NO.	PLTF NO.	DEF. NO.	DATE OFFERED	DATE IDENTIFIED	DATE ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES	
						9:06:12 - Begin Day 7 - June 17, 2008	
						9:12:15 - Witness Ferguson seated	
	69			6/17/08		Application summary chart for Pangelinan - proposed replacement page 69 not admitted	
	71			6/17/08		Application summary chart for Duenas - proposed replacement page 71-1 not admitted	
	14-1			6/17/08		Summary chart of license applications accepted by defendants between 2/20/04 and 11/28/05, showing applicant, driver's license number, ITIN, IRS report of each ITIN status, address on application, examiner, time and date application was entered into the MVD computer, date of written test, date of issuance of license	
						9:59:15 - Jurors seated	
						9:59:50 - Continued CX by Ms. Lujan	
						10:16:15 - CX by Ms. Ecube	
						10:19:00 - Re-DX by Ms. Johnson	
						10:20:25 - Witness Ferguson excused	
						10:21:00 - Jurors excused	
						10:26:00 - 10:40:55 - morning recess	
						10:41:30 - Jurors seated	
						10:42:00 - Witness <b>Mike Park</b> , called and sworn	
	7			6/17/08		Photographs of meeting between Eun Young Lee and Mike Park, payment of \$1,000	
	8			6/17/08		Photographs of meeting at MVD, Mike Park, Sang Mee Chun & Eun Young Lee 3/29/05	
	11			6/17/08		Fraudulent ITIN Letter given to Chun by Lee March 29, 2005	
	12-2			6/17/08		Driver's license of Mike Park	
						11:20:00 - CX by Mr. Yanza	
	11			6/17/08		Fraudulent ITIN Letter given to Chun by Lee March 29, 2005	
		O	6/17/08	6/17/08		Indictment of Kwang Ho Park aka Mike Ho Park, offered, identified, not admitted	
		J	6/17/08	6/17/08		Plea Agreement of Kwang Ho Park aka Mike Park - offered, identified, not admitted	
		J-4	6/17/08	6/17/08		Page 4 of Plea Agreement of Kwang Ho Park aka Mike Park	
	10			6/17/08		MVD file for - Mike Park	
	7			6/17/08		Photographs of meeting between Eun Young Lee and Mike Park, payment of \$1,000	
	8			6/17/08		Photographs of meeting at MVD, Mike Park, Sang Mee Chun & Eun Young Lee 3/29/05	
						11:57:15 - 1:33:15 - Lunch recess	
						1:33:18 - Witness seated	
						1:38:30 - Jurors seated	
						1:39:00 - Witness Park excused	
						1:40:00 - Witness <b>William Kline</b> called and sworn	
	11			6/17/08		Fraudulent ITIN letter given to Chun by Lee March 29, 2005	
	75		6/17/08	6/17/08	6/17/08	Lee's affirmation of handwriting on applications, offered and admitted, with the exception of 75-2 and 75-29	
	76		6/17/08	6/17/08	6/17/08	Laserna's affirmation of handwriting on applications, offered and admitted without objection, with exception of redaction of handwritten notes	

PRESIDING JUDGE  <b>FRANCES M. TYDINGCO-GATEWOOD</b>						PLAINTIFF'S ATTORNEY  <b>KARON JOHNSON</b>	DEFENDANT'S ATTORNEY <b>RICHARD ARENS, MARK SMITH, CYNTHIA ECUBE, LEILANI LUJAN, LOUIE YANZA, STEPHANIE FLORES, RAWLEN MANTANONA</b>
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JOINT NO.	PLTF NO.	DEF. NO.	DATE OFFERED	DATE IDENTIFIED	DATE ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES	
	78		6/17/08	6/17/08	6/17/08	Kawamoto's affirmation of handwriting on applications, offered and admitted without objection, with exception of redaction of handwritten notes	
	79		6/17/08	6/17/08	6/17/08	Duenas' affirmation of handwriting on applications, offered and admitted without objection, with exception of redaction of handwritten notes	
	77		6/17/08	6/17/08	6/17/08	Untalan's affirmation of handwriting on applications, offered and admitted without objection, with exception of redaction of handwritten notes	
	74			6/17/08		Guam driver's licenses from arrested persons	
						3:36:30 - CX by Mr. Arens	
						3:42:54 - Jurors excused	
						4:04:04 - Jurors seated	
						4:04:38 - Jurors excused for the day	
						4:10:34 - End day 7	